

**Notice of Allowability**

Application No.

10/007,145

Examiner

Brian L. Albertalli

Applicant(s)

WU, MARK

Art Unit

2626

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01 February 2006.
2. ☒ The allowed claim(s) is/are 1-14, 16-18 and 20-52.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendments to the claims have been entered. Claims 1, 11-14, 16-18, and 28, are currently amended and claims 15 and 19 are currently canceled.

### ***Response to Arguments***

2. Applicant's arguments, see pages 12-17, filed February 1, 2006, with respect to claims 1-14, 16-18, and 20-52 have been fully considered and are persuasive. The rejections of claims 1-14, 16-18, and 20-52 have been withdrawn.

### ***Claim Rejections - 35 USC § 112***

3. The amendments to claims 11-14, 16, and 17 overcome the previous rejections under 35 U.S.C. 112, 2<sup>nd</sup> paragraph. Specifically, claims 11-14, 16, and 17 now clearly distinguish between "the boot program" and "the updates for the boot program".

### ***Allowable Subject Matter***

4. Claims 1-14, 16-18, and 20-52 are allowed.
5. The following is an examiner's statement of reasons for allowance:

With regard to claims 11-14, 16, and 17, while Schurect et al. teach a method of searching for updates to a boot program where a vector table is utilized, Schurect et al. do not teach *loading updates for the boot program through a controller-to-DSP gateway to a DSP program memory*, as required by independent claim 11. Rather, Schurect et

al. disclose a method wherein updates to a boot program (patch programs) are loaded directly from a program RAM. Thus, there would be no suggestion to one of ordinary skill in the art to modify Schurect et al. to include a controller-to-DSP gateway to load the programs to a DSP memory.

Claims 12-14, 16 and 17 further limit claim 11 and thus are also allowable.

Similarly, with regard to claims 1-10, 18, and 20-52, the combination of Du et al. and Altare et al. does not teach the use of a controller-to-DSP gateway through which processed sounds are passed, as required by independent claims 1, 18, and 28. Neither Du nor Altare et al. would suggest to one of ordinary skill in the art the step/means for passing sounds to be recorded through a controller-to-DSP gateway.

Claims 2-10, 20-27, and 29-52 further limit independent claims 1, 18, and 28, and thus are also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Biscondi (*Implementing the TMS320C6201/C6701/C65211 HPI Boot Process*) describes a boot procedure for a typical DSP.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. Albertalli whose telephone number is (571) 272-7616. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every second Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BLA 4/14/06

  
DAVID HUDSPETH  
SUPERVISORY PATENT EXAMINER  
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